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powers. National interests and international jealousies are dangerous enemies of concerted international action.

The authorities collected by the author show rather the development of a principle of political science, an internal policy of civilized states to protect the interests of the aborigines or other subject peoples. The duty is moral rather than legal. The author does not consider the question of how this trusteeship has been carried out in practice, since the instance he gives of the so-called trust under which the northwest territory was held by the United States on transfer from the states, was, if it can be called a trust at all, a trust not for the benefit of the native inhabitants, but for the benefit of future white settlers. The author calls attention to the essential difference between the treatment of aborigines both as to personal and property rights, where the territory is suitable for European settlement, and where it is not (pp. 133-4). He quotes at length the admirable land law of Nigeria, page 129, which was the text for perhaps the most successful solution of the problem of dealing with aborigines in the tropics. It would evidently have not been possible to deal similarly with a temperate region.

The book arouses thought on a subject which seems destined to become of much greater importance in the future because of the mandates under the Treaty of Versailles and the provisions for the protection of the rights of minorities in the new states created at the close of the war. Here are true legal liabilities of an indefinite nature, and experience must develop the method for their enforcement.

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THE EMPLOYMENT OF THE PLEBISCITE IN THE DETERMINATION OF SOVEREIGNTY. By Johannes Mattern. John Hopkins University Studies in Historical and Political Science. The Johns Hopkins Press, Baltimore, 1920, pp. ix, 214.

The theory and practice of self-determination through the medium of the plebiscite has received a great deal of attention in recent years. Even before the war the subject had received thorough and scholarly treatment by Soldière<sup>1</sup> and Freudenthal.<sup>2</sup> The embodiment of the principle as one of the outstanding war aims of the allies and its incorporation, in theory at least, in the treaties subscribed to by the powers great and small after the war, brought the subject forward as a practical question of unusual importance. That this should soon be reflected in the literature of the subject is only natural. In 1918, André David published his doctor's dissertation on *Les plébescites et les cessions de territoires*. This was followed by Sara Wambaugh's *Monograph on Plebiscites*, and now we have the work by Mattern.

<sup>1</sup> E. Solière: *Le Plébiscite dans L'annexion. Étude historique et critique de droit des gens.* Paris, 1901.

<sup>2</sup> F. Freudenthal: *Die Volksabstimmung bei Gebietsabstretungen und Eroberungen. Eine Studie aus dem Völkerrecht.* Erlangen, 1891.

It was begun as a study at the Johns Hopkins University and was already well under way when Miss Wambaugh's work appeared. There is, therefore, a good deal of unavoidable duplication. On the other hand, Mr. Mattern has extended the field to include a chapter on "The Plebiscite in Ancient and Feudal Times," and a brief section on the use of the plebiscite in the secession movement in the South at the beginning of the Civil War, and a chapter on the theoretical aspects of the subject.

The work as a whole is not based on primary sources. Even in the account of instances of the case of the plebiscite in American history, the story is based on Bancroft, W. F. Dodd, V. A. Lewis' History of West Virginia, MacPherson and Appletons. The sketch is well done, but one cannot but feel that the author missed an opportunity of making a real contribution in this part of his work. That it was difficult to do so in the ancient and medieval phases of the subject is evident. Special knowledge of the historical background is needed at every turn. Errors are bound to creep in, as for example, on page 53 when it is stated that "France conquered and secured for herself in the treaty of Muenster (1648) practically all of Lorraine and Alsace," that is, before Louis XIV came on the scene. Napoleon III's sudden desertion of the Piedmontese cause at Villafranca was due to a variety of causes, of which the fact "that the Italian states not only desired to free themselves from Austrian interference and sovereignty but that they wanted unity under the House of Savoy" was only one.

The part of the work of most interest at this time is the chapter on "The Plebiscite in the Peace Treaties Ending the World War." After a brief sketch of the illusory provision for a registry of the popular will in the transfer of territory to the Central Powers in the Brest-Litovsk and the Bucharest treaties of 1918, the author gives an account of the application, or more frequently non-application, of the principle in the transfer of enemy territory and peoples. In Chapter VII, the theory of plebiscites is discussed in the light of some of the practical difficulties arising in the problem areas of Europe.

In general, the author concludes that both the practice and the views of authorities do not require the sanction of the inhabitants of a ceded territory. The treaty of Versailles, the author believes, bears out the statement that "The necessities of international policy may now and then allow or even demand such a plebiscite, but in most cases they will not allow it." On the whole, the work presents a clear and sane view of a moot subject even if it is lacking in research in primary sources. The authorities cited save for a few collections like Hertslet, Martens, and the Archives Parlementaires are secondary in character. The Archives are used when the Laws or the *Procés Verbaux* would be better. Wambaugh appears in a few footnotes but not in the bibliography.

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